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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/622,138	07/18/2003	Michael Pandura	028987.52351US	1864

23911 7590 04/26/2004

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EXAMINER
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GORDON, STEPHEN T

ART UNIT	PAPER NUMBER
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3612

DATE MAILED: 04/26/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/622,138

Applicant(s)

PANDURA, MICHAEL

Examiner

Stephen Gordon

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 19 December 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 16, 17 and 20 is/are allowed.
- 6) ☒ Claim(s) 1-15, 18 and 19 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 19 December 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>12-19 and 7-18-03</u> . | 6) <input type="checkbox"/> Other: _____  |

### DETAILED ACTION

1. The disclosure is objected to because of the following informalities: “dashboard 6” on page 5 – line 17 should be –dashboard 7--.

Appropriate correction is required.

2. Claims 1-15 and 18-19 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Re claim 1, “the individual instruments” lacks clear antecedent basis, and “the” could be deleted from the term to clarify the claim in this regard as best understood.

Re claim 2, “the rigid instrument cover” lacks clear antecedent basis, and “rigid” could be deleted from the term to clarify the claim in this regard as best understood. Note also similar confusing terms appear in claims 3, 10, 11, 12, 13, 14, and 15 (i.e. 7 additional places), and similar amendment could additionally be made to correct these terms.

Re claim 4, the claim is generally awkward and confusing. As best understood, “with a flexible strip” could be replaced with –includes a flexible strip which—to correct the claim.

Re claim 5, the claim is generally awkward and confusing. As best understood, “with a flexible strip” could be replaced with –includes a flexible strip which—to correct the claim.

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Re claim 6, "the edge" lacks clear antecedent basis and could be written as –an edge—for clarity as best understood.

Re claim 7, "the edge" lacks clear antecedent basis and could be written as –an edge—for clarity as best understood.

Re claim 8, "the edge" lacks clear antecedent basis and could be written as –an edge—for clarity as best understood.

With additional regard to claim 10, "the groove-shaped receiving device" lacks clear antecedent basis and could be written as –the respective one of said groove-receiving devices—for clarity as best understood. . Note also similar confusing terms appear in claims 11, 12, 13, 14, and 15 (i.e. 5 additional places), and similar amendment could additionally be made to correct these terms.

Re claim 18, "the groove and edge" lacks clear antecedent basis and is generally confusing. As best understood, the term could be replaced with –a respective one of the grooves and an edge—to clarify the claim in this regard.

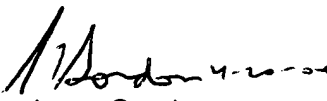
Re claim 19, "the rigid cover" lacks antecedent basis and should apparently be – the rigid cover portion--.

3. Claims 1-15 and 18-19 would be allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C. 112, second paragraph, set forth in this Office action.
4. Claims 16-17 and 20 are allowed.
5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Note at least Straesser Jr. teaches an instrument panel mounting assembly.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Stephen Gordon whose telephone number is (703) 308-2556. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
Stephen Gordon  
Primary Examiner  
Art Unit 3612

stg